

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Raymond Abels,

NO. C 04-02345 JW

Plaintiff,

**ORDER TO SHOW CAUSE RE:  
DISMISSAL FOR FAILURE TO  
PROSECUTE**

v.

JBC Legal Group, P.C., et al.,

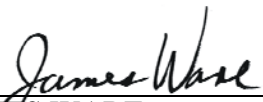
Defendants.

Raymond Abels ("Plaintiff") brings this putative class action against JBC Legal Group, P.C., Jack Boyajian, and Outsource Management, Inc. (collectively, "Defendants") for alleged violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* On November 11, 2004, the Court issued a Scheduling Order for the case. (See Docket Item No. 16.) Pursuant to the Scheduling Order, close of all discovery was set for August 8, 2005. (Id.) On June 12, 2006, the Court denied Defendants' motion to dismiss the Second Amended Complaint. (See Docket Item No. 166.) Since that time, neither party has taken any action in the case. However, it is Plaintiff's duty to prosecute his action.

Accordingly, the parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, California on **Monday, March 17, 2008 at 9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b) for lack of prosecution. On or before **March 10, 2008**, the parties shall file a certification in response to the Order to Show Cause. The certification shall set forth the status of the litigation and the reason no action has been taken.

1           If no certification is filed, the **March 17, 2008** hearing will be vacated automatically and the  
2 case will be dismissed. Failure to comply with any part of this Order will be deemed sufficient  
3 grounds to dismiss this action.

4  
5 Dated: February 29, 2008

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

**United States District Court**

For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 June D. Coleman jcoleman@ecplslaw.com  
3 Mark Ewell Ellis mellis@ecplslaw.com  
4 O. Randolph Bragg rand@horwitzlaw.com  
5 Ronald Wilcox ronaldwilcox@post.harvard.edu

6  
7 **Dated: February 29, 2008**

**Richard W. Wieking, Clerk**

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**By: /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**